

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA

People of the State of California, et al.

v.

Meta Platforms, Inc., Instagram, LLC, Meta
Payments, Inc., Meta Platforms Technologies,
LLC

IN RE: SOCIAL MEDIA ADOLESCENT
ADDICTION/PERSONAL INJURY PRODUCTS
LIABILITY LITIGATION

THIS DOCUMENT RELATES TO:

4:23-cv-05448.

MDL No. 3047

Case No.: 4:23-cv-05448-YGR

**STIPULATED REQUEST FOR AND
[PROPOSED] ORDER EXTENDING
THE STATE ATTORNEYS GENERAL'S
TIME TO MOVE TO STRIKE ANY
PORTION OF THE META
DEFENDANTS' ANSWER**

Judge: Hon. Yvonne Gonzalez Rogers

Magistrate Judge: Hon. Peter H. Kang

Pursuant to Civil Local Rules 6-2 and 7-12, the State Attorneys General ("State AGs") and Meta Platforms, Inc., Instagram, LLC, Meta Payments, Inc., and Meta Platforms Technologies, LLC ("Meta") (collectively, "the Parties"), through their undersigned counsel, and as supported by the concurrently filed Declaration of Megan O'Neill, hereby stipulate as follows:

1. Meta filed its Answer to the State AGs' Complaint on October 17, 2024 (the Answer). Dkt. No. 125.

1 2. Meta's Answer includes sixty (60) paragraphs of purported affirmative defenses.

2 3. The State AGs believe that certain defenses are improper, and have been working diligently
3 to evaluate the Answer and consult with their coalition regarding a motion to strike under Fed. R. Civ. P.
4 12(f). Such a motion would currently be due on November 7, 2024.

5 4. On November 5, 2024, in response to the State AGs' communication about a potential
6 motion to strike, Meta informed the State AGs that Meta intends to file an amended answer and is willing
7 to confer with the State AGs about affirmative defenses that the State AGs may move to strike. The
8 deadline for Meta to amend its answer as of right is November 7, 2024. *See* Fed. R. Civ. P. 15(a)(1)(A).

9 5. The Parties have agreed that they will confer over the next ten (10) days regarding a
10 schedule for both the filing of an amended answer and any motion to strike, including to establish agreed-
11 upon deadlines for any amended answer, motion to strike, and subsequent briefing. The State AGs have
12 consented to the filing of Meta's amended answer on a date to be agreed upon by the Parties after
13 November 7, 2024.

14 6. The Parties agree that they will submit proposed deadlines for the filing of Meta's
15 amended answer and the State AGs' motion to strike by no later than November 20, 2024, and that in the
16 meantime an extension of the State AGs' time to file a motion to strike any portion of the Answer to
17 November 27, 2024 would allow adequate time for the Parties to complete this meet-and-confer process.

18 7. The Parties submit that this proposal is consistent with the timeline of this MDL, which
19 departs from the conventional timeline of the Federal Rules of Civil Procedure due to the complexity of
20 issues involved in this case.

21 8. The Parties agree that the relief sought herein will not prejudice either Party.

22 9. There have been no previous time modifications in this case with respect to the filing of
23 Meta's amended answer or the State AGs' response to Meta's Answer, though the Court recently granted
24 an extension of discovery, Rule 702, and summary judgment deadlines that were mutually agreed on by
25 the parties (*In re: Social Media Adolescent Addiction/Personal Injury Products Liability Litigation*, No.
26 4:22-md-03047 (N.D. Cal. Oct. 29, 2024), Dkt. No. 1290).

10. The Parties agree that the relief sought herein will not affect the schedule of this case.

11. Therefore, pursuant to Local Rules 6-2 and 7-12, the Parties stipulate and respectfully request that the Court extend the State AGs' deadline to file a motion to strike Meta's Answer (Dkt. No. 125) or any portion thereof under Fed. R. Civ. P. 12(f), to and including November 27, 2024.

IT IS SO STIPULATED AND AGREED.

DATED: November 6, 2024

Respectfully submitted,

PHILIP J. WEISER

Attorney General
State of Colorado

/s/ Bianca E. Miyata

Bianca E. Miyata, CO Reg. No. 42012,
pro hac vice
Senior Assistant Attorney General
Lauren M. Dickey, CO Reg. No. 45773,
pro hac vice
First Assistant Attorney General
Megan Paris Rundlet, CO Reg. No. 27474
Senior Assistant Solicitor General
Elizabeth Orem, CO Reg. No. 58309
Assistant Attorney General
Colorado Department of Law
Ralph L. Carr Judicial Center
Consumer Protection Section
1300 Broadway, 7th Floor
Denver, CO 80203
Phone: (720) 508-6651
bianca.miyata@coag.gov

*Attorneys for Plaintiff State of Colorado, ex rel.
Philip J. Weiser, Attorney General*

ROB BONTA

Attorney General
State of California

/s/ Megan O'Neill

Nicklas A. Akers (CA SBN 211222)
Senior Assistant Attorney General
Bernard Eskandari (SBN 244395)

Emily Kalanithi (SBN 256972)
 Supervising Deputy Attorneys General
 Nayha Arora (CA SBN 350467)
 Megan O'Neill (CA SBN 343535)
 Joshua Olszewski-Jubelirer (CA SBN 336428)
 Marissa Roy (CA SBN 318773)
 Brendan Ruddy (CA SBN 297896)
 Deputy Attorneys General
 California Department of Justice
 Office of the Attorney General
 455 Golden Gate Ave., Suite 11000
 San Francisco, CA 94102-7004
 Phone: (415) 510-4400
 Fax: (415) 703-5480
 Megan.ONeill@doj.ca.gov

Attorneys for Plaintiff the People of the State of California

RUSSELL COLEMAN
 Attorney General
 Commonwealth of Kentucky

/s/ Daniel I. Keiser
 J. Christian Lewis (KY Bar No. 87109),
Pro hac vice
 Philip Heleringer (KY Bar No. 96748),
Pro hac vice
 Zachary Richards (KY Bar No. 99209),
Pro hac vice
 Daniel I. Keiser (KY Bar No. 100264),
Pro hac vice
 Matthew Cocanougher (KY Bar No. 94292),
Pro hac vice
 Assistant Attorneys General
 1024 Capital Center Drive, Suite 200
 Frankfort, KY 40601
 CHRISTIAN.LEWIS@KY.GOV
 PHILIP.HELERINGER@KY.GOV
 ZACH.RICHARDS@KY.GOV
 DANIEL.KEISER@KY.GOV
 MATTHEW.COCANOUGH@KY.GOV
 Phone: (502) 696-5300
 Fax: (502) 564-2698

Attorneys for Plaintiff the Commonwealth of Kentucky

MATTHEW J. PLATKIN

Attorney General

State of New Jersey

/s/ Thomas Huynh

Kashif T. Chand (NJ Bar No. 016752008),

Pro hac vice

Section Chief, Deputy Attorney General

Thomas Huynh (NJ Bar No. 200942017),

Pro hac vice

Assistant Section Chief, Deputy Attorney General

Verna J. Pradaxay (NJ Bar No. 335822021),

Pro hac vice

Mandy K. Wang (NJ Bar No. 373452021),

Pro hac vice

Deputy Attorneys General

New Jersey Office of the Attorney General,

Division of Law

124 Halsey Street, 5th Floor

Newark, NJ 07101

Tel: (973) 648-2052

Kashif.Chand@law.njoag.gov

Thomas.Huynh@law.njoag.gov

Verna.Pradaxay@law.njoag.gov

Mandy.Wang@law.njoag.gov

Attorneys for Plaintiffs New Jersey Attorney General

and the New Jersey Division of Consumer Affairs

*Matthew J. Platkin, Attorney General for the State of
New Jersey, and Cari Fais, Acting Director of the New
Jersey Division of Consumer Affairs*

COVINGTON & BURLING LLP

/s/ Ashley Simonsen

Ashley M. Simonsen, SBN 275203

COVINGTON & BURLING LLP

1999 Avenue of the Stars

Los Angeles, CA 90067

Telephone: (424) 332-4800

Facsimile: + 1 (424) 332-4749

Email: asimonsen@cov.com

Phyllis A. Jones, pro hac vice

Paul W. Schmidt, pro hac vice

COVINGTON & BURLING LLP

1 One City Center
2 850 Tenth Street, NW
3 Washington, DC 20001-4956
4 Telephone: + 1 (202) 662-6000
5 Facsimile: + 1 (202) 662-6291
6 Email: pajones@cov.com

7 *Attorney for Defendants Meta Platforms, Inc.*
8 *f/k/a Facebook, Inc.; Facebook Holdings,*
9 *LLC; Facebook Operations, LLC; Facebook*
10 *Payments, Inc.; Facebook Technologies, LLC;*
11 *Instagram, LLC; Siculus, Inc.; and Mark Elliot*
12 *Zuckerberg*

SIGNATURE CERTIFICATION

Pursuant to Civ. L.R. 5-1(h)(3), I hereby attest that all signatories listed, and on whose behalf the filing is submitted, concur in this filing's content and have authorized this filing.

DATED: November 6, 2024

/s/ Megan O'Neill

Megan O'Neill (CA SBN 343535)
Deputy Attorney General
California Department of Justice
Office of the Attorney General
455 Golden Gate Ave., Suite 11000
San Francisco, CA 94102-7004
Phone: (415) 510-4400
Fax: (415) 703-5480
Megan.ONeill@doj.ca.gov

*Attorney for Plaintiff the People of the State of
California*

IT IS SO ORDERED.

DATED this ____ day of _____, 2024.

YVONNE GONZALEZ ROGERS
UNITED STATES DISTRICT JUDGE